



sovereignty and incurring unrecoverable costs from complying with the Final Rule, which is unlikely to survive judicial review. The Court finds that the balance of equities and the public interest also favor maintaining the status quo by issuing an injunction while further review of the Final Rule takes place.

Therefore, Texas's Motion for a Preliminary Injunction is GRANTED, and a preliminary injunction is in effect enjoining the effectiveness, implementation, and enforcement of the Final Rule titled *National Performance Management Measures; Assessing Performance of the National Highway System, Greenhouse Gas Emissions Measure*, 88 Fed. Reg. 85364, pending further Court order.

So ordered on January \_\_\_, 2024.

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JAMES WESLEY HENDRIX  
UNITED STATES DISTRICT JUDGE